

Geneva, NY

Ringewald, Erica R (DEC) <Erica.Ringewald@dec.ny.gov>

Fri, Jun 16, 2017 at 11:01 AM

To: [REDACTED]
Cc: "Frazier, Kevin O (DEC)" <Kevin.Frazier@dec.ny.gov>

The city of Geneva does not need DEC's written permission to release testing data from previous years to the residents that had lawn samples taken.

As noted below, the only restriction on the city's release of information relates to the protection of **“personal, proprietary or confidential business or financial data of persons or other companies.”**

From: [REDACTED]
Sent: Friday, June 16, 2017 9:16 AM
To: Ringewald, Erica R (DEC) <Erica.Ringewald@dec.ny.gov>
Cc: Frazier, Kevin O (DEC) <Kevin.Frazier@dec.ny.gov>
Subject: Re: Geneva, NY

Thank you. My question is this: does the city of Geneva need dec written permission to release testing data from previous years to the residents whose lawns the samples were taken from? That is clearly something the DEC can answer.

On Friday, June 16, 2017, Ringewald, Erica R (DEC) <Erica.Ringewald@dec.ny.gov> wrote:
In response to your inquiry --

On Background:

The New York State Department of Environmental Conservation (DEC) does not, and has no authority to, instruct other government entities regarding how to interpret the law.

The purpose of the cited provision is to manage the disclosure of sensitive information from individual employees and is intended to limit individual employees from unilaterally disseminating data of a sensitive nature to third parties without DEC knowledge and approval. The provision is not intended to apply to the City or to supersede its obligations under FOIL.

This clause in question was in effect prior to 2013. Substantially similar language was included in Appendix B of the original State Assistance Contract executed by the City of Geneva and the Department in 1999.